

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
AT JACKSON

FILED BY 8 D.C.  
05 MAY 25 AM 8:09

ROBERT R. DI TROLO  
CLERK OF U.S. DIST. CT  
W.D. OF TN-JACKSON

REBA CALLINS,

Plaintiff,

v.

FIRST STATE BANK,

Defendant.

JURY DEMAND

Civil Action No. 1-04-1309-TAN

JUDGE TODD

MAGISTRATE ANDERSON

**RULE 16(b) SCHEDULING ORDER**

Pursuant to the scheduling conference set by written notice, the following dates are established as the final dates for:

**INITIAL DISCLOSURES (RULE 26(a)(1)):** June 10, 2005

**JOINING PARTIES:**

for Plaintiff: July 27, 2005  
for Defendant: August 27, 2005

**AMENDING PLEADINGS:**

for Plaintiff: July 27, 2005  
for Defendant: August 27, 2005

**COMPLETING ALL DISCOVERY:** December 16, 2005

(a) **REQUESTS FOR PRODUCTION, INTERROGATORIES and REQUESTS FOR ADMISSIONS:** December 16, 2005

(b) **EXPERT DISCLOSURE (Rule 26(a)(2)):**

- (i) Plaintiff's Experts: September 29, 2005
- (ii) Defendant's Experts: October 28, 2005
- (iii) Supplementation under Rule 26(e): November 11, 2005

(c) **DEPOSITIONS OF EXPERTS:** December 16, 2005

9

**FILING DISPOSITIVE MOTIONS:** January 09, 2006

**FINAL LISTS OF WITNESSES AND EXHIBITS (Rule 26(a)(3)):**

- (a) for Plaintiff: February 16, 2006
- (b) for Defendant: March 3, 2006

Parties shall have 10 days after service of final lists of witnesses and exhibits to file objections under Rule 26(a)(3).

The trial of this matter is expected to last 3 days and is **SET** for **JURY TRIAL** on **APRIL 3, 2006 at 9:30 A.M.** A joint pretrial order is due on **MARCH 24, 2006.** In the event the parties are unable to agree on a joint pretrial order, the parties must notify the court at least ten days before trial.

**OTHER RELEVANT MATTERS:**

Interrogatories, Requests for Production and Requests for Admissions must be submitted to the opposing party in sufficient time for the opposing party to respond by the deadline for completion of discovery. For example, if the FRCP allow 30 days for a party to respond, then the discovery must be submitted at least 30 days prior to the deadline for completion of discovery.

Motion to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default of service of the response, answer, or objection which is the subject of the motion if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause show, or any objection to the default, response, or answer shall be waived.

The parties are reminded that pursuant to Local Rule 7(a)(1)(A) and (a)(1)(B), all motions, except motions pursuant to FRCP 12, 56, 59 and 60, shall be accompanied by a proposed Order and a Certificate of Consultation.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting for the reasons for which a reply is required.

The parties may consent to trial before the Magistrate Judge. The Magistrate Judge can normally provide the parties with a definite trial date that will not be continued unless a continuance is agreed to by all parties, or an emergency arises which precludes the matter from proceeding to trial.

***The parties are encouraged to engage in court-annexed attorney mediation or private mediation on or before the close of discovery.***


This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause show, the scheduling dates set by this Order will not be modified or extended.

**IT IS SO ORDERED.**

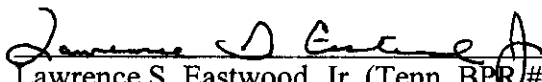
  
S. THOMAS ANDERSON  
UNITED STATES MAGISTRATE JUDGE

Date: May 24, 2005

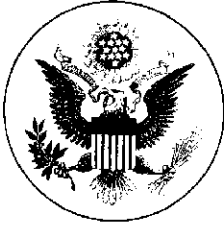
Respectfully submitted:

  
Dan M. Norwood, Esq. (Tenn. BPR #005926) *with permission*  
Jeffrey L. Atchley, Esq. (Tenn. BPR #012370)  
Norwood, Howard & Atchley  
1407 Union Avenue, Suite 807  
Memphis, Tennessee 38104

Attorneys for Plaintiff

  
Lawrence S. Eastwood, Jr. (Tenn. BPR # 16071)  
Emily H. Plotkin (Tenn. BPR # 22978)  
BAKER, DONELSON, BEARMAN &  
CALDWELL, P.C.  
211 Commerce Street, Suite 1000  
Nashville, Tennessee 37201  
(615) 726-5600

Attorneys for Defendant



## Notice of Distribution

This notice confirms a copy of the document docketed as number 9 in case 1:04-CV-01309 was distributed by fax, mail, or direct printing on May 31, 2005 to the parties listed.

---

Lawrence S. Eastwood  
BAKER DONELSON BEARMAN CALDWELL & BERKOWITZ- Johnson City  
P.O. Box 3038  
207 Mockingbird Lane  
Johnson City, TN 37602

Emily H. Plotkin  
BAKER DONELSON BEARMAN CALDWELL & BERKOWITZ- Memphis  
165 Madison Ave.  
Ste. 2000  
Memphis, TN 38103

Dan M. Norwood  
NORWOOD HOWARD & ATCHLEY  
1407 Union Ave.  
Ste. 807  
Memphis, TN 38104--362

Honorable James Todd  
US DISTRICT COURT